

Date: June 23, 2004 Planning Commission Meeting

Item No.

#### MILPITAS PLANNING COMMISSION AGENDA REPORT

Category: Public Hearing	· · · · · · · · · · · · · · · · · · ·	Report	Prepared by: Tro	y Fujimoto	
Public Hearing: Yes:	✓ No:	4			
Notices Mailed On: - 6/1	10/04 Published On:	6/10/04	Posted On:	6/10/04	
TITLE:	USE PERMIT NO. UP:	2004-11			
Proposal:	A request to locate a telecommunication antenna facility, in a cylindrical radome atop an existing 95 foot tall light pole and accompanying ground equipment, at Milpitas High School.				
Location:	1285 Escuela Parkway				
APN:	026-18-003	-			
RECOMMENDATION:	- Approval with Condition	ons			
Applicant:	Jennifer Estes, 5855 Doyle Street, #108, Emeryville, CA 94608				
Property Owner:	Milpitas Unified School District, attn: Karen Allen, 1331 E. Calaveras Boulevard, Milpitas, CA 95035				
Previous Action(s):	None				
General Plan Designation:	Single Family Low Dens	Single Family Low Density			
Present Zoning:	R1-6, Single Family	R1-6, Single Family			
Existing Land Use:	School				
Agenda Sent To:	Applicant & Owner	Applicant & Owner			
Attachments:	Plans Project Description Photo Simulations Telecommunications Questionnaire Power Density Report FCC License Alternative Site Analysis Build out map				
PJ#2371					

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#### BACKGROUND

The project is located at 1285 Escuela Parkway at Milpitas High School, located north of Jacklin Avenue in the northern half of the city. Milpitas High School opened in September 1970. The school is located within an existing single-family residential neighborhood.

#### THE APPLICATION/PROJECT DESCRIPTION

The application is filed pursuant to Title XI, Chapter 10, Section 57.02-I3 (Conditional Uses, Additional Uses Permitted – Public utility and public service use or structure). The applicant is requesting a use permit to locate telecommunication antennas atop an existing 95 foot tall light pole, near the athletic field at the western end of the campus with associated electronic equipment cabinets located inside a covered enclosure adjacent to the existing athletic building.

#### Site Layout

The location of the monopole will be on one of the light poles on the eastern end of the football field. The associated equipment in the 150 square foot enclosure will be located to the northeast, adjacent to the athletic building. The football field is on the eastern portion of the campus.

#### ISSUES

#### **Use Permit Findings**

Any approval of a Use Permit or Use Permit Amendment, requires that the Planning Commission make the following findings:

- 1. The proposed use is consistent with the Milpitas Zoning Ordinance.
- 2. The proposed use is consistent with the Milpitas General Plan.
- 3. The proposed use, at the proposed location will not be detrimental or injurious to property or improvements in the vicinity nor to the public health, safety, and general welfare.

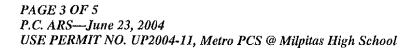
The following discussion explains how the proposed project, as conditioned, are able to satisfy these findings.

#### **Conformance with the Zoning Ordinance**

The project as proposed conforms to the Zoning Ordinance. The Zoning Ordinance, Section 57 (57.01 (b), 57.02-15, and 57.03-5) allows for the proposed use to be approved in this district if it is deemed essential or desirable to the public, suitable to the site, and not detrimental or injurious to properties in the vicinity. The proposed site of the antennas is in the eastern portion of the campus, with the high school located in the middle of a single-family residential area. The antennas will be mounted atop a 95-foot tall light standard and will be inside a cylindrical radome. The proposed facility blends in well with the site and the light fixture and the enclosure matches the existing buildings on the campus. None of the equipment will be visible from any views and will replace an existing portable storage container, thus improving the immediate appearance of the site. In addition, the facility will provide enhanced coverage for Metro PCS cell phone users and will prevent dropped and lost calls.

#### Conformance with the General Plan

The project is consistent with the General Plan. By providing for alternate telecommunications services for the conduct of commercial and personal business without creating aesthetic disharmony, it promotes a highly amenable community environment, in keeping with Guiding Principle 2.a-G-1.





It is also consistent with Implementing Policy 2.a-I-1. The project will foster community growth through beautification of existing and future development. The project involves removing a temporary storage facility with a new enclosure that matches the existing buildings.

#### Neighborhood Compatibility and Visual Impacts

The applicant is proposing antennae in a cylindrical radome on an existing light pole. Originally the radome was located approximately three quarters of the way up the pole. Staff worked with the applicant to move the radome further up the pole, closer to the light fixtures, to give the appearance that the radome was part of the light fixture, thus drawing less attention to it.

The applicant is also proposing an enclosure adjacent to the existing sports building. As proposed the enclosure matches the existing building and even has a roof type and color that matches other buildings on-site, thus staff is satisfied with the equipment enclosure.

#### **Radio Frequency Emissions:**

Federal law preserves the City's authority to regulate the placement, construction, and modification of personal wireless service facilities (47 U.S.C. 332((c)(7)(A).) However, federal law does impose a limitation on this authority in the area of radio frequency (RF) emissions. The City is prohibited by federal law from regulating the placement, construction, and modification of personal wireless service facilities on the basis of the environmental effects of RF emissions to the extent the facilities comply with the Federal Communications Commission's (FCC) regulations concerning such emissions. (47 U.S.C. 332(c)(7)(B)(iv).

The FCC has established guidelines that place limits on human exposure to RF fields generated by personal wireless service facilities. These guidelines have been endorsed by the U.S. Environmental Protection Agency and the Food and Drug Administration. The FCC requires all personal wireless facilities to comply with these guidelines.

The City, however, may still verify that applicants are in compliance with the FCC's guidelines. Therefore, the City requires applicants applying for use approval for any telecommunications device to submit a power density report. This report is reviewed by the City's Telecommunications Advisory Commission to ensure compliance with the FCC's guidelines. To the extent that an applicant's facilities, as proposed, are not in compliance with the FCC's guidelines, the City may require the applicant to make appropriate modifications to the facilities to ensure compliance.

#### **Telecommunications Commission Review**

The City of Milpitas Telecommunication Commission reviewed this project on May 17, 2004. Comments and concerns raised by the Telecommunication Commission were in regards to adequate signage in regards to safety and signage warning people of the presence of a monopole at this location. The Telecommunication Commission recommends approval of the proposal to the Planning Commission.

#### RECOMMENDATION

Close the Public Hearing. Approve Use Permit No. UP2004-11 based on the Findings and Special Conditions of Approval listed below:

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#### FINDINGS

- 1. As conditioned, the proposed antenna/monopole at this location will not be detrimental or injurious to the surrounding development nor to the public health and safety, as reviewed by the Telecommunications Commission Committee in regards to equipment and safety issues.
- 2. As conditioned, the proposed use meets the intent of the General Plan and Zoning Ordinance by providing for alternate telecommunications services for the conduct of commercial and personal business without creating aesthetic disharmony at the site or impacts on surrounding development.
- 3. As conditioned, the project will not result in any significant visual or aesthetic impacts because the proposed antennae/monopole is visually disguised as a flagpole and enhanced with additional landscaping and the associated electronic cabinets are concealed from views.
- 4. The project is categorically exempt from further environmental review pursuant to Class 3, Section 15303 "New construction or conversion of small structures ... installation of small new equipment and facilities in small structures".

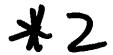
#### SPECIAL CONDITIONS OF APPROVAL

- 1. This Use Permit No. UP2004-11 is for a telecommunications antenna facility consisting of three panels in a cylindrical radome on an existing 95 foot tall light pole at Milpitas High School and associated electronic equipment and cabinets inside a new enclosure as shown on approved plans dated June 23, 2004, except as may be otherwise modified by these conditions of approval. Any future addition of antennas or modification to approved plans, shall require further review and approval by the Milpitas Telecommunications Commission and Planning Commission. (P)
- 2. Any change in any dimension or location of the proposed antenna, cabinets, and enclosure from that shown on the plans approved June 23, 2004, shall require an amendment to this Use Permit, which will require a noticed public hearing. (P)
- 3. This use shall be conducted in compliance with all appropriate local, state and federal laws and regulations and in conformance with the approved plans. (P)
- 4. Prior to facility installation, plans shall be submitted that show how the project complies with the following requirements (F):
  - a) Approved access shall be provided to the equipment enclosure. Provide KNOX lock (quantity and location to be determined by the Fire Dept.) for Fire Department access. CFC (California Fire Code) Section 902.4.
  - b) Equipment enclosure/room shall be posted with signage identifying the company name and the site identification number. Signage shall be posed outside and inside the enclosure/room.
  - c) The location shall be labeled for the hazard with a sign approved for location and content by the Fire Department. Signage shall conform to the NFPA 704 standards. Signage shall be posted outside and inside of the enclosure/room.
  - d) NO SMOKING signs shall be posed outside and inside the equipment enclosure/room. CFC Section 1109.4.
  - e) Each antennae shall be identified to denote its function, i.e., transmitter or receiver antennae.

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- f) Shutdown of transmitter antennas shall be provided. Written shutdown procedures (including remote shutdown) shall be provided to the Milpitas Fire Department Inspector at the time of inspection. Fire Department inspection shall include system shutdown.
- g) For remote shutdown process, the phone number, the specific SITE I.D. number shall be posted outside of the equipment enclosure, on the face of the wireless equipment cabinet, at the electrical equipment (if different location than the wireless equipment), roof hatch, fire control, and other access points to the transmitter antennae.
- h) If manual shutdown mechanism is located on site, the shutdown mechanism shall be identified.
- *i)* The installer shall call for an inspection by the Fire Department to verify labeling, signage and transmission shutdown.
- 5. If at the time of project conformance with conditions of approval there is a project job account balance due to the City for recovery of review fees, review of plans will not be initiated until the balance is paid in full. (P)
- (P) = Planning Division
- (F) = Fire Department



#### CITY OF MILPITAS WIRELESS TELECOMMUNICATIONS FACILITY

#### PROJECT SUMMARY

#### **Applicant**

MetroPCS Inc. is a privately held telecommunications service provider formed in 1994. MetroPCS holds 14 personal communications services (PCS) licenses in the United States. MetroPCS offers an innovative and affordable pricing structure to capitalize on wireless customers' demand sensitivity to price. The company believes that a substantial market opportunity exists to essentially eliminate the pricing gap between existing heavy usage cellular airtime and wire line telephone rates. Relative to current wireless service packages, metroPCS offers more affordable wireless service packages that are available to more citizens of the San Francisco Bay area.

MetroPCS believes that by offering predictable and affordable prices they can attract customers who do not currently use wireless services and customers who are already high-volume users. The company also believes that due to relatively high per minute airtime charges and unpredictable monthly bills, there is a price-sensitive mass consumer market that refrains from subscribing to or extensively using cellular services.

Moreover, metroPCS feels that there exists a relatively untouched consumer segment that is not being targeted by the incumbent providers; namely low income households. This is due, in some part, to the perception that these customers are credit challenged and have only a small amount of discretionary income available. Nationwide carriers are virtually ignoring this sector of the community in favor of the "high-end" users that are more willing to pay for advanced services and the latest in handsets.

MetroPCS offers high quality network coverage by concentrating its network build-out in the "high-usage" areas of its markets. MetroPCS limits the construction of its networks outside of these high-usage areas, because it believes the incremental cost of building out such network coverage is substantial and is inconsistent with the company's objective to be the low cost provider of wireless communications services. MetroPCS is truly a local wireless service provider.

In line with this strategy, metroPCS looks to minimize the amount of new antenna support structures in its markets and pursues co-locating on existing structures as the first and best alternative. MetroPCS understands that the quickest way to market is to work with local planning agencies that allows it to be both financially successful and a responsible corporate citizen. The goal of metroPCS is to offer affordable mobile telephony to consumers in the areas where they are most likely to use them.

#### **Personal Communication Services**

Personal Communication Services or "PCS" represents a new generation of wireless technology. By utilizing digital transmission, PCS is able to dramatically improve the quality of service for wireless consumers. Conventional analog-cellular systems do not have the advantage of speaking in the digital language of computers. This digital transmission allows PCS to outperform traditional cellular in a number of ways, including:

- Improved voice quality and consistency
- Increased security and privacy
- Feature-rich digital service choices such as voice mail, paging, and caller ID

- Digital data transmission
- Alpha numeric paging

#### **PCS Site Selection**

Once the decision has been made to expand PCS coverage to a community, metroPCS engineers prepare a preliminary network design based on many factors, including the characteristics of the community, available radio frequencies and wireless equipment capabilities. A map of the selected "search area" and other requirements for the site are provided to property consultants who visit the community to identify and rank potential sites. This search area represents the area in which a facility must be located to allow it to function as an integral unit in the PCS system.

Whenever feasible, metroPCS strives to acquire sites that blend with local character and are unobtrusive to the community. Existing structures such as water tanks, building rooftops, and competitor-owned towers are often the first choice for sites. When construction of a new structure is required, sites are chosen by their proximity to compatible land uses. Wireless communication facilities must be considered as part of a network, not as individual locations. Communication facilities can be likened to links in a chain, one link adds to the next, making the network design larger. Once these links, or communication facilities, are constructed, it is difficult to adjust the network design or move individual sites.

#### **Property Description**

Please refer to "Legal Description of Subject Property"

The proposed facility will be located at the Milpitas High School, 1285 Escuela Parkway in the City of Milpitas. The subject parcel is owned by the Milpitas Unified School District. The assessor's parcel number is 026-18-003 and consists of approximately 21 acres. The subject parcel is in a designated R-1 (Single Family Residence) Zoning District. Situated on the subject property are various buildings and structures serving the various functions of the high school. In addition, there is a large sports field with stadium seating, field lights, and an ample parking lot.

#### **Nature of Request/Zoning Analysis**

Please refer to the "Site Development Plans"

MetroPCS is requesting a Conditional Use Permit to allow for the construction and operation of an unmanned wireless telecommunications facility. The proposed facility consists of three (3) panel antennas mounted to an existing stadium light pole. The height of the stadium light is 95'-8" and the proposed antennas would be mounted underneath the actual light fixtures at an effective centerline height of 80'-0". The antennas will be the same non-reflective gray color to match the existing light pole. A new masonry block compound will conceal the three (3) associated equipment cabinets that will be located at ground level and abutting an existing building (gym). The compound will measure 10'0" x 15'-8" and will match the color scheme of the school so that it integrates well with the existing buildings located on the subject property.

Pursuant to the City of Milpitas Zoning Ordinance, Chapter XI-10, "Zoning," Section 57, "Conditional Uses Permitted by Commission," states that a Conditional Use Permit can be:

§57.01(a) ....issued by the city to allow a particular land use which would not otherwise be permitted as a matter of right in a zoning district.

Further, pursuant to Chapter XI-10, Section 57.02, "Additional Uses Permitted," the Commission may, after a public hearing, permit the following uses in districts from which they are prohibited where such uses are deemed essential or desirable to the public convenience or welfare and are in harmony with the Master Plan:

§57.02-13 Public utility and public service use or structure.

Therefore, metroPCS' proposed wireless telecommunications facility will require a Conditional Use Permit. Furthermore, all setbacks will be complied with and no streets, rights-of-way or easements will be encroached upon.

#### **Communication Facility Components and Operations**

Each metroPCS communication facility consists of a tower or other support structure, panel antennas, base station equipment and a generator or emergency power source, when needed. No nuisances will be generated by the proposed PCS facility, nor will the facility injure the public health, safety, morals or general welfare. PCS technology does not interfere with any other forms of communication whether public or private. To the contrary, PCS technology will provide vital communications in emergency situations and will commonly be used by local residents and emergency personnel to protect the general public's health, safety and welfare.

#### **Statement of Operations**

Once the construction of the PCS facility is complete and the telephone switching equipment is fine-tuned, visitation to the site by service personnel for routine maintenance will occur an average of once a month. The site is entirely self-monitored and connects directly to a central office where sophisticated computers alert personnel to any equipment malfunction or breach of security.

Because the PCS facility will be unstaffed, there will be no regular hours of operation and no impact to existing traffic patterns. No water or sewer services will be required. Ingress and egress will be provided along with parking for service personnel who arrive infrequently to service the site.

#### **Compliance with Federal Regulations**

MetroPCS will comply with all FCC rules governing construction requirements, technical standards, interference protection, power and height limitations, and radio frequency standards. In addition, the company will comply with all FAA rules on site location and operation.

City of Milpitas
Planning Division 455 E. Calaveras Blvd. Milpitas, CA 95035 (408) 586-3279

### Questionnaire for Telecommunication Facility Providers

All applicants requesting to install telecommunications facilities within the City of Milpitas must complete this questionnaire as part of their use permit application submittal.  DERCOCK ASSOCIATES
Applicant Name: JENNIFER ESTES (ON BEHALF OF METROPCS)
Applicant Address: 5855 DOYLE ST., # 108, EMERYVILLE, CA 94160
Applicant Phone: (Fig.) (1) A 57.
Applicant Fax and e-mail address: (510). 420-5702 jestes@peacock_associate
Provide a brief description of project (Telecommunications Facility): METROPCS PROPOSES TO  CONSTRUCT AND OPERATE A WIRELESS TELECOMMUNICATIONS FACILITY  CONSISTING OF MOUNTING (3) ANTENNAS TO AN EXISTING STADIUM LIGHT  AND (3) EQUIPMENT CABINETS IN A NEW COMPOUND MEASURING 157 SQ. FT  Location of Project: MILPITAS HIGH SCHOOL  1285 ESCUELA PARKWAY  1. Please indicate below the trequency range you plan to use?
VHF Low-Band (30-50 Mhz or 72-76 Mhz)  VHF High-Band (136-174 Mhz or 220-222 Mhz)  UHF or T-Band (406-420 Mhz or 450-470 Mhz or 470-512 Mhz)  800 or 900 Mhz Band (800-960 Mhz except 900 Mhz Spread Spectrum)  900 Mhz Spread Spectrum (902-928 Mhz)  Other than specified above (State frequency band in Mhz) Describe:  1 9 5 - 1990 Mhz
2. Please indicate below the channel/system proposed for use?
A single channel Multiple channel A frequency agile system A spread spectrum system Other than specified above. Describe:
3. Will the operation be
Narrow band (±5 Khz or less deviation) Broad band (greater than ±5 Khz deviation) Spread Spectrum Other than specified above. Describe:
பு பள்ள specified above. Describe:

4. ′	What will the effective radiated nower (FRP) be when all channels at your proposed site are radiating? / OOO WATTS Will the site be in compliance with current ANSI radiation health standards? <u>YES</u>
5. /	. What horizontal radiation pattern is planned for this project?
-	Omnidirectional Sectored Directional (provide half power beam width)
6. /	What will the vertical radiation angle (half power beam width) be for your proposed antenna(s)?
7.	How high above the local terrain(e.g., surrounding structures) will the center of radiation of your proposed antenna(s) be?
8.	How close to your proposed project is the nearest roadway 654 feet/miles and, if elevated, what is the roadway's height above the local terrain? feet
9.	How close to your proposed project is the nearest regularly occupied building and how high is the top floor above/local terrain? CLOSEST BUILDING IS APPROXIMATELY
10.	What is the distance to the nearest existing radio communications or broadcast antenna(s) if less than 1/2 mile?  FROM THE PROJECT. BUILDING IS 18 IN HEIGHT What is the distance to the nearest existing radio communications or broadcast antenna(s) if less than 1/2 mile?
11.	owner/operator, if known. NEAREST FACILITY IS I.6 MILSS AWAY LOCATED AT 901 E. CALAVERAS BLVD. (SFA-712-313) What is the status of your FCC license grant? EXPIRES 61-27-07 (Include a copy of the license with submittal of this questionnaire.)
NOT	_

### NOTE: The below listed items are also required by the applicant as part of this submittal:

- a) Provider's build-out map showing all sites anticipated within Milpitas (see question no. 2)
- b) Photo simulations of antenna(s) as viewed from at least three surrounding view points. Show "worst case" vantage points.
- c) List of all sites that were investigated for a particular search ring and the reasons why they were discarded. Include names and phone numbers of persons contacted regarding potential sites.
- d) Copy of applicants Power Density Study (see item no. 4).

 $^2$   $\sqrt{2}$ 

## Slant +/- 45° Dual Polarized, Panel 60° / 18.5 dBi

#### Mechanical specifications

neonanical specific	utiviis ,
Length 1278 mm	50,32 in
Width 154 mm	6,06 in
Depth 3 3 80 mm	3:15 in
<sup>4)</sup> Weight 4.5 kg	10.0 lbs
Wind Area	
Front 0.197 m <sup>2</sup>	2.12 ft <sup>2.5</sup>
Side 0,102 m <sup>2</sup>	2.12 ft <sup>2</sup> 1.10 ft <sup>2</sup>

Rated Wind Velocity (Safety factor 2.0)

\$321.9 km/hr . >200 mph.

Wind load @ 100 mph (161 km/hr)

Front. 298 N 67 lbs Side 175 N 39 lbs

Antenna consisting of aluminum alloy with brass feedlines covered by a UV safe fiberglass radome.

#### Mounting & Downtilting:

Wall mounted or pole tower mount with mounting brackets.

Mounting bracket kit #26799997

Downtill bracket kit #26799999

The downtilt bracket kit includes the mounting bracket kit.

#### Electrical specifications

siectricai specii	ications
Frequency Range	
Impedance.	50Ω
<sup>3)</sup> Connector	NE, E-DIN
	. ≨≦1.4:1 ( )
Polarization	Slant ± 45°
<sup>1)</sup> Isolation Between Ports	< -30 dB
<sup>9</sup> Gain (4-4-2)	18.5 dBi
<sup>2)</sup> Power Rating	250 W
1) Half Power Angle	
H-Plane	60°
E-Plane	,7°
1) Lobe Tilt	0% /
Null Fill	5%
Lightning Protection	Direct Ground

#### Patented Dipole Design: U.S. Patent No. 6,597,324 B2

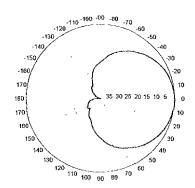
Typical Values

Improvements to mechanical and/or electrical performance of the antenna may be made without notice.

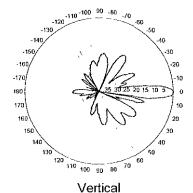
### BXA-185060/8CF

When ordering, replace "\_\_\_" with connector type.

#### Radiation-pattern<sup>1)</sup>

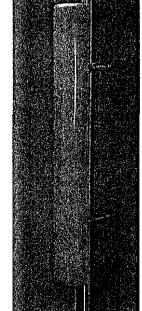


Horizontal



Radiation patterns for all antennas are measured with the antenna mounted on a fiberglass pole.

Mounting on a metal pole will typically improve the Front-to-Back Ratio.





Amphenol Antel's Exclusive 3T (True Transmission Line Technology) Antenna Design:

- Watercut brass feedline assembly for consistent performance.
- Unique feedline design eliminates the need for conventional solder joints in the signal path.
- A non-collinear system with access to every radiating element for broad bandwidth and superior performance.
- Air as insulation for virtually no internal signal loss.

Every Amphenol Antel antenna is under a five-year limited warranty for repair or replacement.

Antenna available with center-fed connector only.

CF Denotes a Center-Fed Connector.

1850-1990 MHz



<sup>2)</sup> Power Rating limited by connector only.

<sup>3</sup> NE indicates an elongated N Connector,

E-DIN indicates an elongated DIN Connector.

The antenna weight listed above does not include the



## United States of America Federal Communications Commission

### RADIO STATION AUTHORIZATION

## Commercial Mobile Radio Services Personal Communications Service - Broadband

GWI PCS1, INC. 8144 WALNUT HILL LANE SUITE 600 DALLAS, TX 75231

Call Sign:

KNLF566

Market:

B404

SAN FRAHCISCO-OAKLAND-

Channel Block:C

File Number: 00447-CW-L-96

The licensee hereof is authorized, for the period indicated, to construct and operate radio transmitting facilities in accordance with the terms and conditions hereinafter described. This authorization is subject to the provisions of the Communications Act of 1934, as amended, subsequent Acts of Congress, international treaties and agreements to which the United States is a signatory, and all pertinent rules and regulations of the Federal Communications Commission, contained in the Title 47 of the U.S. Code of Federal Regulations.

Initial Grant Date . . . . . . . . . . . . . . . . January 27, 1997

Five-year Build Out Date . . . . . . . . . . . . January 27, 2002

Expiration Date . . . . . . . . . . . . . . . . . January 27, 2007

#### CONDITIONS .

Pursuant to Section 309(h) of the Communications Act of 1934, as amended, (47 U.S.C. § 309(h)), this license is subject to the following conditions: This license does not vest in the licensee any right to operate a station nor any right in the use of frequencies beyond the term thereof nor in any other manner than authorized herein. Neither this license nor the right granted thereunder shall be assigned or otherwise transferred in violation of the Communications Act of 1934, as amended (47 U.S.C. § 151, et seq.). This license is subject in terms to the right of use or control conferred by Section 706 of the Communications Act of 1934, as amended (47 U.S.C. § 606).

Conditions continued on Page 2.

#### WAIVERS:

No waivers associated with this authorization.

Issue Date: January 27, 1997 FCC Form 463a

#### **CONDITIONS:**

This authorization is subject to the condition that, in the event that systems using the same frequencies as granted herein are authorized in an adjacent foreign territory (Canada/United States), future coordination of any base station transmitters within 72 km (45 miles) of the United States/Canada border shall be required to eliminate an harmful interference to operations in the adjacent foreign territory and to ensure continuance of equal access to the frequencies by both countries.

This authorization is conditioned upon the full and timely payment of all monies due pursuant to Sections 1.2110 and 24.711 of the Commission's Rules and the terms of the Commission's installment plan as set forth in the Note and Security Agreement executed by the licensee. Failure to comply with this condition will result in the automatic cancellation of this authorization.

#### CITY OF MILPITAS WIRELESS TELECOMMUNICATIONS FACILITY

#### INVESTIGATED ALTERNATIVES

The purpose of this analysis is to explain the alternatives that were considered before choosing the Milpitas High School as the best and only candidate for the metroPCS wireless telecommunications facility.

#### **Site Selection Overview**

Please refer to the attached Search Ring Map

For a PCS antenna site to be feasible, it must meet technical measurement requirements relative to the surrounding sites in the network and the overall environment. Sites must have line-of-sight visibility to each other. Most sites should be at or near busy intersections of major roads or in areas of high activity in order to service the high number of calls expected. Height is very important. The antenna centerline must be 10 to 20 feet above surrounding buildings, trees, and other obstacles that might interfere with a clear line of sight. However, the antenna cannot be too high or it may interfere with other sites. Existing buildings, topography, and landscape (inside and outside the search ring) must be considered for technical feasibility.

Other considerations when selecting a site are:

- Willing landlord
- Feasible location for an antenna and the accompanying equipment
- Availability of power and telephone
- Aesthetics
- Possible co-location opportunities
- The policy of the jurisdiction on wireless communications facilities
- The distribution of antennas in the overall network

#### **Investigated Alternatives**

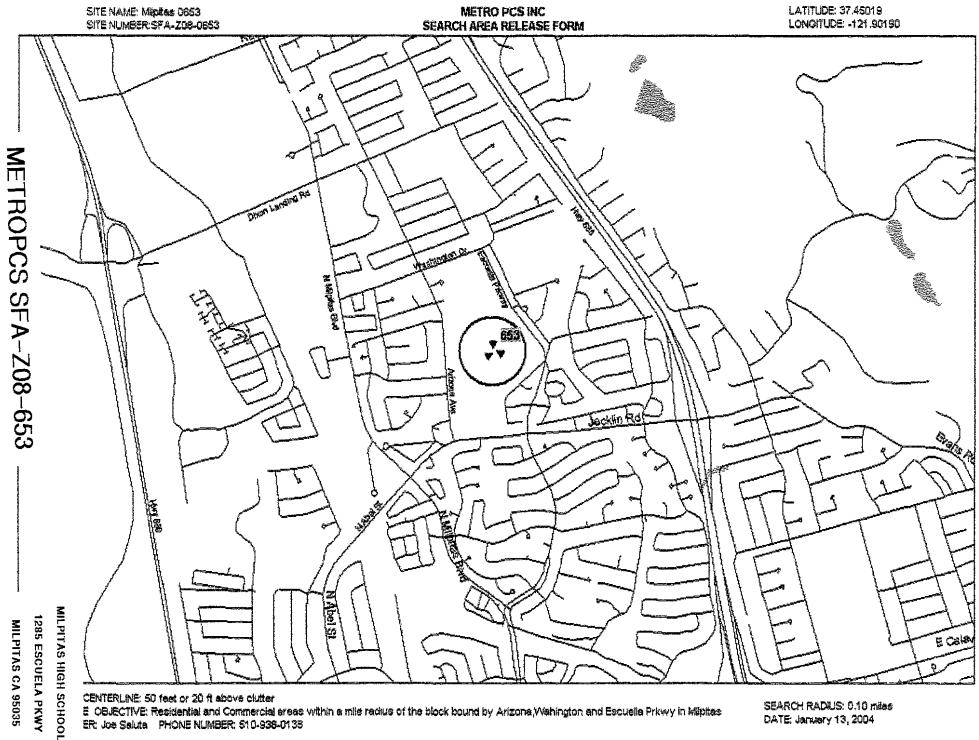
Please refer to the attached Alternative Site Location Map

The Milpitas Corporate Yard, located at 1585 Rodgers Street, was also considered. However, it was determined that the landlord was not interested after repeatedly trying to contact the landlord with receiving no response. Additionally, this site is located out of the metroPCS search ring which may have had technological drawbacks to having a facility at this site.

#### Conclusion

As the subject property is publicly owned it is a preferred siting for a wireless telecommunications facility. In addition, the Milpitas High School consists of over 21 acres and is located directly in a viable area as determined by metroPCS engineers (middle of search ring). Along with meeting the RF requirements, the property also has the advantage of discreetly housing a wireless telecommunications facility. The proposed facility incorporates an existing use (stadium field light) for stealthing three (3) antennas to, and the minimal size of the equipment compound (157 square feet) will be nestled up next to an existing building (gym) with

a masenry block wall that will conceal the equipment from view. The colors for the proposed facility will match the existing color scheme of the high school to further enhance the cohesiveness of the project with the existing buildings and structures. The proposed facility meets the siting requirements and is a preferred location per the City of Milpitas, in addition to the technological and aesthetical requirements, and is therefore deemed the best choice for metroPCS' facility.



CENTERLINE: 50 feet or 20 ft above clutter E OBJECTIVE: Residential and Commercial areas within a mile radius of the block bound by Arizona Wahington and Escuella Prkwy in Milipitas ER: Joe Saluta PHONE NUMBER: 510-938-0138

SEARCH RADIUS: 0.10 miles DATE: January 13, 2004

Investigated Allernatives Map Fremont Pagosa Way Kato Rd Buskirk Manferd St Tiny St Callan St ondon Dr Calera Ceop A Autrey St Dixon Rd N Milpitas Blvd Milpitas Corparation Yard Boulder St Boyd St Hazen St Stay Club Dr Dixon Landing Rd Carmer Valmy Washington Dr Milpitas Dixon Landing Park Rose Dr metroPCS Proposed Site 1 Milpitas High School Russon Arizona Di Vienna Kizer Berrendo Dr Kevenaire Dr Calle Oriente Jacklin Ct 0 mi 0.2 0.4 9.0 0.6

## MetroPCS • Proposed Base Station (Site No. SFA-Z08-653A) 1285 Escuela Parkway • Milpitas, California

#### Statement of Hammett & Edison, Inc., Consulting Engineers

The firm of Hammett & Edison, Inc., Consulting Engineers, has been retained on behalf of MetroPCS, a wireless telecommunications carrier, to evaluate the base station (Site No. SFA-Z08-653A) proposed to be located at 1285 Escuela Parkway in Milpitas, California, for compliance with appropriate guidelines limiting human exposure to radio frequency ("RF") electromagnetic fields.

#### **Prevailing Exposure Standards**

The U.S. Congress requires that the Federal Communications Commission ("FCC") evaluate its actions for possible significant impact on the environment. In Docket 93-62, effective October 15, 1997, the FCC adopted the human exposure limits for field strength and power density recommended in Report No. 86, "Biological Effects and Exposure Criteria for Radiofrequency Electromagnetic Fields," published in 1986 by the Congressionally chartered National Council on Radiation Protection and Measurements ("NCRP"). Separate limits apply for occupational and public exposure conditions, with the latter limits generally five times more restrictive. The more recent Institute of Electrical and Electronics Engineers ("IEEE") Standard C95.1-1999, "Safety Levels with Respect to Human Exposure to Radio Frequency Electromagnetic Fields, 3 kHz to 300 GHz," includes nearly identical exposure limits. A summary of the FCC's exposure limits is shown in Figure 1. These limits apply for continuous exposures and are intended to provide a prudent margin of safety for all persons, regardless of age, gender, size, or health.

The most restrictive thresholds for exposures of unlimited duration to radio frequency energy for several personal wireless services are as follows:

Personal Wireless Service	Approx. Frequency	Occupational Limit	Public Limit
Personal Communication ("PCS")	1,950 MHz	5.00 mW/cm <sup>2</sup>	1.00 mW/cm <sup>2</sup>
Cellular Telephone	870	2.90	0.58
Specialized Mobile Radio	855	2.85	0.57
[most restrictive frequency range]	30-300	1.00	0.20

#### **General Facility Requirements**

Base stations typically consist of two distinct parts: the electronic transceivers (also called "radios" or "cabinets") that are connected to the traditional wired telephone lines, and the passive antennas that send the wireless signals created by the radios out to be received by individual subscriber units. The transceivers are often located at ground level and are connected to the antennas by coaxial cables about I inch thick. Because of the short wavelength of the frequencies assigned by the FCC for wireless services, the antennas require line-of-sight paths for their signals to propagate well and so are installed at some height above ground. The antennas are designed to concentrate their energy toward the



## MetroPCS • Proposed Base Station (Site No. SFA-Z08-653A) 1285 Escuela Parkway • Milpitas, California

horizon, with very little energy wasted toward the sky or the ground. Along with the low power of such facilities, this means that it is generally not possible for exposure conditions to approach the maximum permissible exposure limits without being physically very near the antennas.

#### **Computer Modeling Method**

The FCC provides direction for determining compliance in its Office of Engineering and Technology Bulletin No. 65, "Evaluating Compliance with FCC-Specified Guidelines for Human Exposure to Radio Frequency Radiation," dated August 1997. Figure 2 attached describes the calculation methodologies, reflecting the facts that a directional antenna's radiation pattern is not fully formed at locations very close by (the "near-field" effect) and that the power level from an energy source decreases with the square of the distance from it (the "inverse square law"). The conservative nature of this method for evaluating exposure conditions has been verified by numerous field tests.

#### Site and Facility Description

Based upon information provided by Metro, including zoning drawings by Genre Technology, Inc., dated March 24, 2004, it is proposed to mount three Antel Model BXA-185060-8CF directional panel antennas on an existing 95<sup>1</sup>/2-foot light pole, sited east of the running track at Milpitas High School, located at 1285 Escuela Parkway in Milpitas. The antennas would be mounted at an effective height of about 80 feet above ground and would be oriented at 120° spacing, to provide service in all directions. The maximum effective radiated power in any direction would be 1,890 watts, representing six channels operating simultaneously at 315 watts each. There are reported no other wireless telecommunications base stations installed nearby.

#### Study Results

The maximum ambient RF level anywhere at ground level due to the proposed Metro operation is calculated to be 0.0016 mW/cm<sup>2</sup>, which is 0.16% of the applicable public exposure limit. The maximum calculated level on the roof of the nearby building is 0.25% of the public exposure limit; the maximum level at the second floor elevation of any of the nearby homes\* is 0.043% of the public exposure limit. It should be noted that these results include several "worst-case" assumptions and therefore are expected to overstate actual power density levels.

#### **Recommended Mitigation Measures**

Since they are to be mounted on a tall light pole, the Metro antennas are not accessible to the general public, and so no mitigation measures are necessary to comply with the FCC public exposure

<sup>\*</sup> Located at least 650 feet away, based on acrial photographs from Maps a la carte, Inc.



## MetroPCS • Proposed Base Station (Site No. SFA-Z08-653A) 1285 Escuela Parkway • Milpitas, California

guidelines. To prevent occupational exposures in excess of the FCC guidelines, no access within 5 feet directly in front of the Metro antennas themselves, such as might occur during maintenance work on the existing lights, should be allowed while the base station is in operation, unless other measures can be demonstrated to ensure that occupational protection requirements are met. Posting explanatory warning signs† at the antennas and/or on the pole below the antennas, such that the signs would be readily visible from any angle of approach to persons who might need to work within that distance, would be sufficient to meet FCC-adopted guidelines.

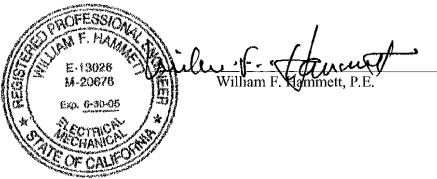
#### Conclusion

Based on the information and analysis above, it is the undersigned's professional opinion that the base station proposed by MetroPCS at 1285 Escuela Parkway in Milpitas, California, can comply with the prevailing standards for limiting human exposure to radio frequency energy and, therefore, need not for this reason cause a significant impact on the environment. The highest calculated level in publicly accessible areas is much less than the prevailing standards allow for exposures of unlimited duration. This finding is consistent with measurements of actual exposure conditions taken at other operating base stations.

#### **Authorship**

The undersigned author of this statement is a qualified Professional Engineer, holding California Registration Nos. E-13026 and M-20676, which expire on June 30, 2005. This work has been carried out by him or under his direction, and all statements are true and correct of his own knowledge except, where noted, when data has been supplied by others, which data he believes to be correct.

March 31, 2004



<sup>&</sup>lt;sup>†</sup> Warning signs should comply with ANSI C95.2 color, symbol, and content conventions. In addition, contact information should be provided (*e.g.*, a telephone number) to arrange for access to restricted areas. The selection of language(s) is not an engineering matter, and guidance from the landlord, local zoning or health authority, or appropriate professionals may be required.

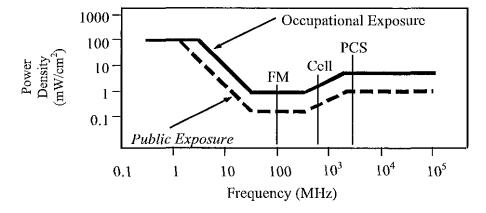


#### **FCC Radio Frequency Protection Guide**

The U.S. Congress required (1996 Telecom Act) the Federal Communications Commission ("FCC") to adopt a nationwide human exposure standard to ensure that its licensees do not, cumulatively, have a significant impact on the environment. The FCC adopted the limits from Report No. 86, "Biological Effects and Exposure Criteria for Radiofrequency Electromagnetic Fields," published in 1986 by the Congressionally chartered National Council on Radiation Protection and Measurements, which are nearly identical to the more recent Institute of Electrical and Electronics Engineers Standard C95.1-1999, "Safety Levels with Respect to Human Exposure to Radio Frequency Electromagnetic Fields, 3 kHz to 300 GHz." These limits apply for continuous exposures from all sources and are intended to provide a prudent margin of safety for all persons, regardless of age, gender, size, or health.

As shown in the table and chart below, separate limits apply for occupational and public exposure conditions, with the latter limits (in *italics* and/or dashed) up to five times more restrictive:

Frequency	Electro	magnetic F	ields (f is fr	equency of	emission in	MHz)
Applicable Range (MHz)	Field S	etric trength /m)	Field S	netic trength /m)	Power 1	t Far-Field Density /cm²)
0.3 1.34	614	614	1,63	1.63	100	100
1.34 - 3.0	614	823.8/f	1.63	2.19/f	100	$180/f^2$
3.0 - 30	1842/ f	823 8/f	4.89/ f	2.19/f	900/ f <sup>2</sup>	$180/f^2$
30 - 300	61.4	27.5	0.163	0.0729	1.0	0.2
300 - 1,500	3.54 <b>√</b> f	1.59 <b>√</b> f	<b>√</b> f/106	<b>√</b> f/238	f/300	f/1500
1,500 - 100,000	137	61.4	0.364	0.163	5.0	1.0



Higher levels are allowed for short periods of time, such that total exposure levels averaged over six or thirty minutes, for occupational or public settings, respectively, do not exceed the limits, and higher levels also are allowed for exposures to small areas, such that the spatially averaged levels do not exceed the limits. However, neither of these allowances is incorporated in the conservative calculation formulas in the FCC Office of Engineering and Technology Bulletin No. 65 (August 1997) for projecting field levels. Hammett & Edison has built those formulas into a proprietary program that calculates, at each location on an arbitrary rectangular grid, the total expected power density from any number of individual radio sources. The program allows for the description of buildings and uneven terrain, if required to obtain more accurate projections.



### RFR.CALC<sup>™</sup> Calculation Methodology

#### Assessment by Calculation of Compliance with FCC Exposure Guidelines

The U.S. Congress required (1996 Telecom Act) the Federal Communications Commission ("FCC") to adopt a nationwide human exposure standard to ensure that its licensees do not, cumulatively, have a significant impact on the environment. The maximum permissible exposure limits adopted by the FCC (see Figure 1) apply for continuous exposures from all sources and are intended to provide a prudent margin of safety for all persons, regardless of age, gender, size, or health. Higher levels are allowed for short periods of time, such that total exposure levels averaged over six or thirty minutes, for occupational or public settings, respectively, do not exceed the limits.

#### Near Field.

Prediction methods have been developed for the near field zone of panel (directional) and whip (omnidirectional) antennas, typical at wireless telecommunications cell sites. The near field zone is defined by the distance, D, from an antenna beyond which the manufacturer's published, far field antenna patterns will be fully formed; the near field may exist for increasing D until some or all of three conditions have been met:

1) 
$$D > \frac{2h^2}{\lambda}$$
 2)  $D > 5h$  3)  $D > 1.6\lambda$ 

where h = aperture height of the antenna, in meters, and  $\lambda = aperture$  wavelength of the transmitted signal, in meters.

The FCC Office of Engineering and Technology Bulletin No. 65 (August 1997) gives this formula for calculating power density in the near field zone about an individual RF source:

power density 
$$S = \frac{180}{\theta_{BW}} \times \frac{0.1 \times P_{net}}{\pi \times D \times h}$$
, in mW/cm<sup>2</sup>,

where  $\theta_{BW} = \text{half-power beamwidth of antenna, in degrees, and}$  $P_{net} = \text{net power input to the antenna, in watts.}$ 

The factor of 0.1 in the numerator converts to the desired units of power density. This formula has been built into a proprietary program that calculates distances to FCC public and occupational limits.

#### Far Field.

OET-65 gives this formula for calculating power density in the far field of an individual RF source:

power density 
$$S = \frac{2.56 \times 1.64 \times 100 \times RFF^2 \times ERP}{4 \times \pi \times D^2}$$
, in mW/cm<sup>2</sup>,

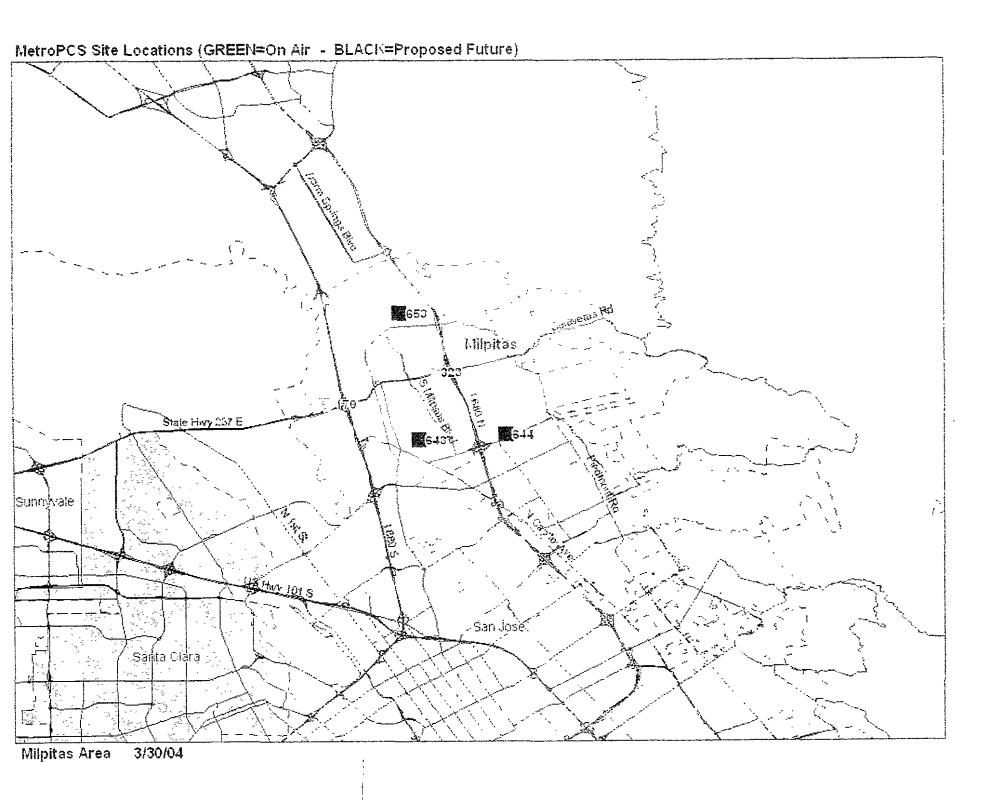
where ERP = total ERP (all polarizations), in kilowatts,

RFF = relative field factor at the direction to the actual point of calculation, and

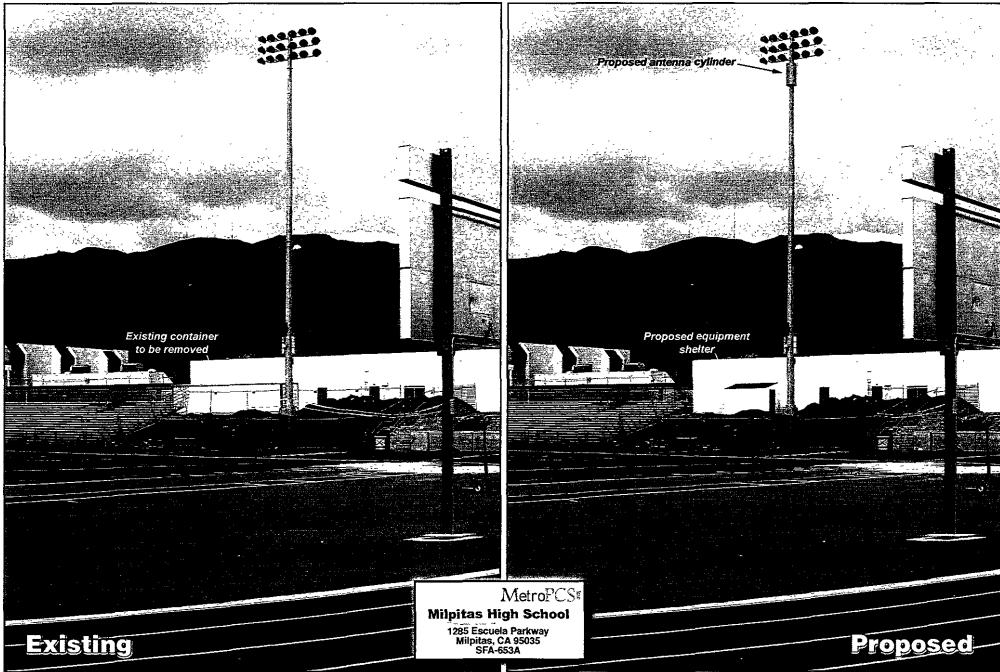
D = distance from the center of radiation to the point of calculation, in meters.

The factor of 2.56 accounts for the increase in power density due to ground reflection, assuming a reflection coefficient of  $1.6 (1.6 \times 1.6 = 2.56)$ . The factor of 1.64 is the gain of a half-wave dipole relative to an isotropic radiator. The factor of 100 in the numerator converts to the desired units of power density. This formula has been built into a proprietary program that calculates, at each location on an arbitrary rectangular grid, the total expected power density from any number of individual radiation sources. The program also allows for the description of uneven terrain in the vicinity, to obtain more accurate projections.

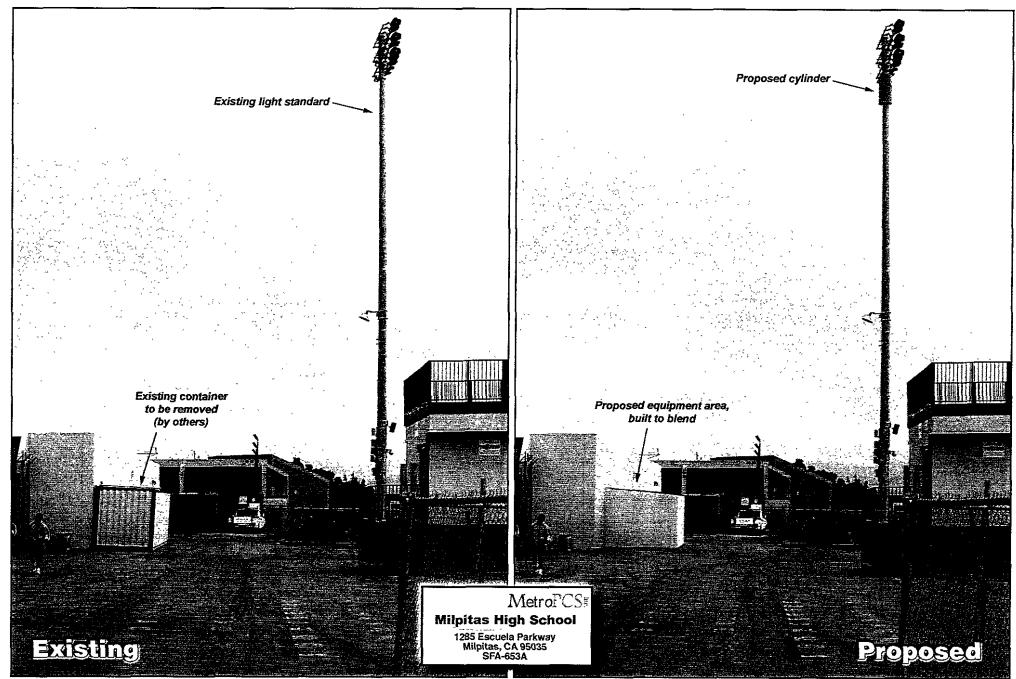




### Photosimulation of view looking northeast from the track.



## Photosimulation of view looking south from between the bleachers and the buildings.



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**Previsualists** 

TYPE OF EQUIPMENT:

CDMA-MODCELL

SITE TYPE:

STADIUM LIGHT STANDARD

RAD CENTER:

83'-4"

LATITUDE: LONGITUDE: N 37° 27' 00.93" W 121° 54' 09.13"

## MILPITAS HIGH SCHOOL SF06530A 1285 ESCUELA PARKWAY MILPITAS, CA 95035 SANTA CLARA COUNTY

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**APPROVALS** 



PROJECT DESCRIPTION





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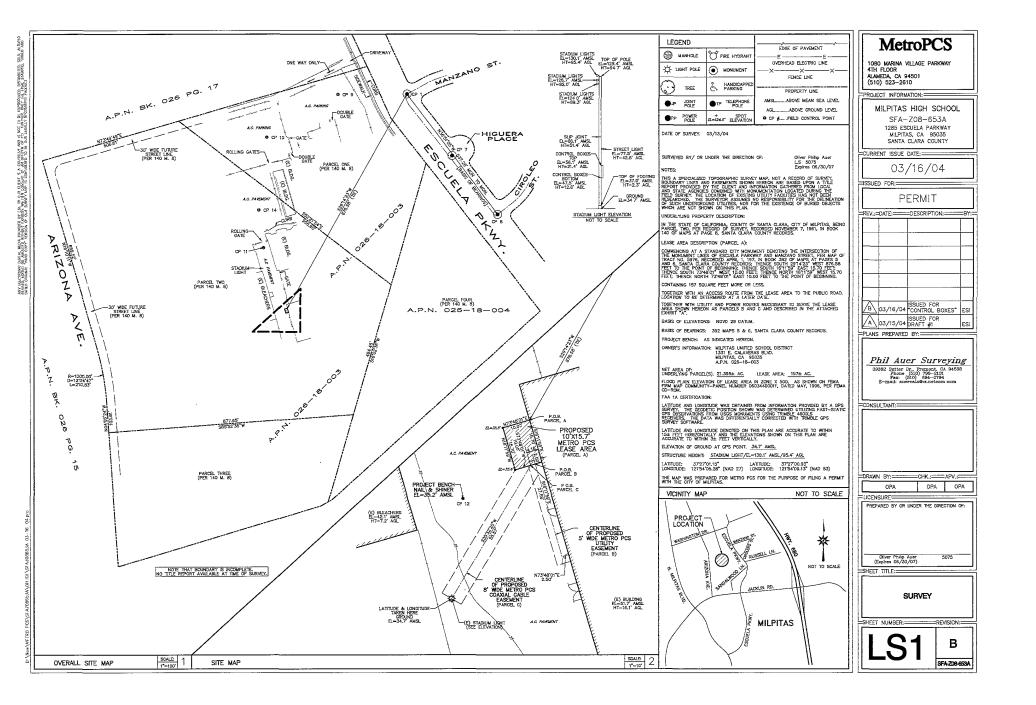
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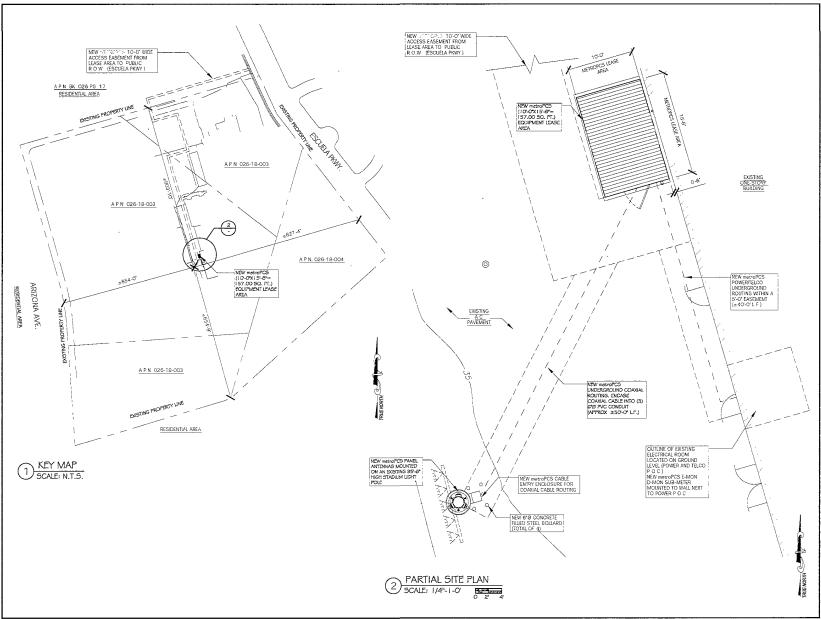
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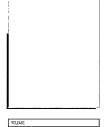
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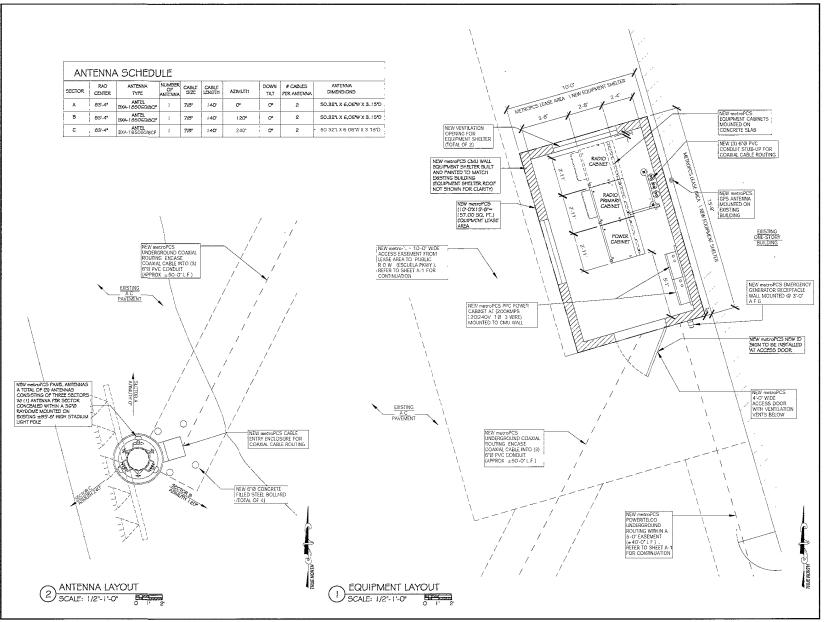
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1285 ESCUELA PARKWAY MILPITAS, CA 95035

SHEET TITLE

OVERALL SITE PLAN PARTIAL SITE PLAN

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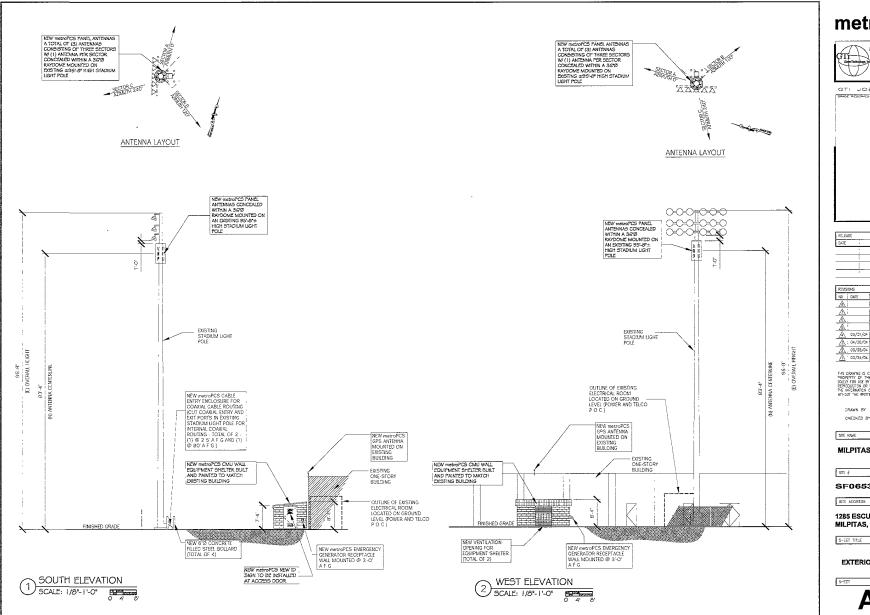
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1285 ESCUELA PARKWAY MILPITAS, CA 95035

SHEET TITLE

EXTERIOR ELEVATION

**A-3**